

ORIGINAL

United States District Court

for the

DISTRICT OF HAWAII

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

MAY 24 2007

at 3 o'clock and 00 min  
SUE BEITIA, CLERK

U.S.A. vs. KALEI AURELIO LOPEZ Docket No. CR 03-00430HG-01

**AMENDED REQUEST FOR COURSE OF ACTION  
(Statement of Alleged Violations of Supervised Release)**

COMES NOW CARTER A. LEE, PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of KALEI AURELIO LOPEZ, who was placed on supervision by the Honorable Helen Gillmor, sitting in the Court at Honolulu, Hawaii, on the 4th day of May, 2004, who fixed the period of supervision at 3 years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

1. That the defendant participate in a substance abuse program, which may include drug testing at the discretion and direction of the Probation Office.
2. That the defendant is prohibited from possessing any illegal or dangerous weapons.
3. That the defendant provide the Probation Office access to any requested financial information.
4. That the defendant participate in a mental health assessment and participate in a mental health program if deemed necessary, at the discretion and direction of the Probation Office.
5. That the defendant is prohibited from the possession and use of alcohol.

The subject's term of supervised release commenced on 3/2/2005.

On 7/10/2006, the Court modified the subject's conditions of supervised release as follows:

Mandatory Condition: That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of the commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the term of supervision.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**Alleged Violation(s) of Supervised Release

That the petition for Request for Course of Action dated 9/12/2006 and filed on 9/14/2006 include the following additional violation(s):

5. The subject left the judicial district without the permission of the court or probation officer, in violation of Standard Condition No. 1.

Based on the above, the U.S. Probation Officer recommends that the Request for Course of Action dated 9/12/2006 and filed on 9/14/2006 be amended to include the additional violation(s).

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**PRAYING THAT THE COURT WILL ORDER ONE OF THE FOLLOWING COURSES OF ACTION:**

- ☒ That the Request for Course of Action dated 9/12/2006 and filed on 9/14/2006 be amended to include the additional violation(s) and that the subject be brought before the Court to show cause why supervision should not be revoked.
- ☐ Other

I declare under penalty of perjury that the foregoing is true and correct

Executed on 5/22/2007



CARTER A. LEE  
U.S. Probation Officer

Approved by:




PETER D. YOSHIHARA  
Supervising U.S. Probation Officer

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ORDER OF COURT

THE COURT ORDERS that the Request for Course of Action dated 9/12/2006 and filed on 9/14/2006 be amended to include the additional violation(s) and that the subject be brought before the Court to show cause why supervision should not be revoked.

Considered and ordered this 22nd day of May, 2007, and ordered filed and made a part of the records in the above case.



HELEN GILLMOR  
Chief U.S. District Judge

**Re: LOPEZ, Kalei Aurelio**  
**Criminal No. CR 03-00430HG-01**  
**REVOCATION OF SUPERVISED RELEASE**

**STATEMENT OF FACTS**

**Violation No. 5 - Leaving the Judicial District Without the Permission of the Court or Probation Officer:**

On 9/11/2006, the subject was discharged from the Victory Outreach (VO) inpatient substance abuse program. On 9/14/2006, Your Honor executed a warrant for the subject's arrest based upon the violations alleged in the Request for Course of Action dated 9/12/2006 and filed on 9/14/2006. The subject subsequently absconded and his whereabouts were unknown.

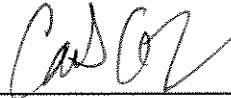
On 12/26/2006, a VO representative reported that the subject contacted her facility and inquired about inpatient placement. The subject also acknowledged his outstanding arrest warrant, but expressed interest in resuming treatment to avoid prison. In response, this officer told the VO representative to instruct the subject to immediately self-surrender to the U.S. Marshals Service. The subject did not self-surrender and the VO representative later reported that he did not pursue his request for placement.

On 5/4/2007, the subject was arrested in the District of New Mexico. According to the U.S. Probation Office in the District of New Mexico, the subject self-surrendered to local authorities and was transferred to federal custody on 5/8/2007. On 5/10/2007, the subject appeared before U.S. Magistrate Judge Don J. Svet for an Identity and Detention Hearing. The Court ordered the subject detained and returned to the District of Hawaii for further proceedings.

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**REVOCATION OF SUPERVISED RELEASE**  
**STATEMENT OF FACTS - Page 2**

The subject has repeatedly ignored Court-ordered conditions of release despite the known consequences. In considering his drug addiction and overall instability, he is not amenable to continued supervision and presents a danger to the community.

Respectfully submitted by,



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CARTER A. LEE  
U.S. Probation Officer

Approved by:



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PETER D. YOSHIHARA  
Supervising U.S. Probation Officer

CAL/pts

**Re: LOPEZ, Kalei Aurelio**  
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**NOTICE OF ADDITIONAL CONDITION(S) OF SUPERVISION THAT MAY WARRANT  
CONSIDERATION**

None.